



4/Response
w/att.
J. Steptoe
9/13/00

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mary Helen McCay, et al.

Examiner: Hien Vo

Serial No. 09/276,253

Group Art Unit: 2857

Filing Date: 03/25/99

Title: Method for Marking, Tracking,
and Managing Hospital Instruments

Atty. Docket: UTRC-57 (D5453-47)

RESPONSE TO FIRST OFFICE ACTION

RECEIVED

Assistant Commissioner for Patents
Washington, D.C. 20231

SEP 12 2000
TECHNOLOGY CENTER 2800

Dear Sirs:

In response to the Office Action dated June 7, 2000, Applicants respond as shown below:

A. Objections to the Drawings

In response to the drawing objections, Applicants herewith submit the formal drawings.

B. The Rejection under 35 U.S.C. §102(b)

In paragraph 5 of the Office Action, Claims 1-20 were rejected under 35 U.S.C. §102(b) as being anticipated by Honda. The Office Action states that Column 1, Lines 9-20, of Honda disclosed "using the instrument for hospital procedures and entering information in to the data base that identifies which instruments have been used in each hospital procedure." Applicants respectfully disagree with this characterization of the disclosure found at Column 1, Lines 9-20 of Honda. In actuality, this portion of Honda states: